

REMARKS

Claims 1-23 and 31-33 are pending. Claims 1, 5-6, 8-17, 19, 22, and 31-33 have been amended only to clarify the claim language. No new matter has been added. The rejections of the claims are respectfully traversed in light of the amendments and following remarks and reconsideration is requested.

Claim Objections

Claims 1 and 3-17 were objected to for insufficient antecedent basis. In particular, with regard to Claim 1, the Examiner writes that Claim 1 "recites the limitation 'the functionality' in line 4, 'the action' in line 9." Applicants have amended Claim 1 to recite "a functionality" but with regard to "the action," Applicants submit that there is sufficient antecedent basis from the recitation "providing a control object capable of specifying an action on the digital object depending on the intercepted user action," as recited in Claim 1.

Claims 3-17 have been amended to have sufficient antecedent basis.

Rejection Under 35 U.S.C. § 112

Claims 17, 22, and 31-33 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner writes that the limitations "in-place editing" and/or "in-place edit" are not supported in the specification.

Claims 17, 22, and 31-33 have been amended to recite "editing" or "edit". The amendments are supported in the Specification as filed at least on page 17, lines 8-10; page 19, lines 18-21; and page 20, lines 4-7.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, first paragraph.

Rejection Under 35 U.S.C. § 102

Claims 1-12, 14-15, and 19-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by Schneck et al. (U.S. Patent No. 6,314,409 hereinafter "Schneck").

In rejecting the claims, the Examiner writes:

Regarding claim 1, Schneck discloses a method of intercepting a data communication between two applications in a computer environment (e.g., see fig. 15), the method comprising intercepting a data communication between a first application and a second application without changing the functionality of the first application and second application (e.g., see col. 30 lines 25-43); and providing a digital object created by the second application (packaged data 108b) (e.g., see col. 28 lines 14-18); providing a control object capable of specifying an action on the digital object depending on the intercepted user action (e.g., see fig. 16 col. 15 lines 31-40); and performing the action specified by the control object on the digital object (e.g., see col. 30 lines 42-60 and col. 32 lines 43-53).

However, Schneck only discloses the following:

The access mechanism 114 of the user 104 takes the packaged data 108, either including an encrypted version of the access rules 116 or having the access rules provided separately, and enables the user to access the data in various controlled ways, depending on the access rules. (Schneck, col.10 lines 1-5).

The Access Mechanism

The access mechanism 114 allows a user 104 to access the data in packaged data 108 (or 150) according to the rules provided with (or separately from, as packaged rules 152) the packaged data and prevents the user or anyone else from accessing the data other than as allowed by the rules. (Schneck, col.15 lines 30-35).

The Accessing Operation

When a user 104 obtains packaged data 108 (or 150) from a distributor 102, the user can then access the data according to the rules provided therewith or provided separately. Data access is supported by the access mechanism 114 (Schneck, col.17 lines 45-49).

The following discussion assumes . . . that the data are being accessed by an application via an insecure operating system (OS) which invokes the access mechanism 114. The intent is to show the manner in which controlled access of the data takes place. (Schneck, col.18 lines 4-21).

Creation of a derivative work for subsequent distribution requires an distributor 190 similar to distributor 102 shown in FIGS. 1 and 5. However, derivative work distributor 190 (shown in FIG. 15) includes an access mechanism 114 and can process, as input data, packaged data 108a. (Schneck, col.28 lines 10-14).

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HEID LLP

3402 MCCLELLON DR.
SUITE 210
DENV, CO 80212
(303) 752-7040
FAX (303) 752-7049

v1

At each point where the developer requires authorization, the executable software requests a permission-check. As a result, the process of FIG. 16 is performed. If the requisite authorization is received, the function of the software is performed. If authorization is denied, an alternative action is chosen. The system may itself take certain actions including, for example, terminating a program or erasing data, when authorization is denied. As executable software is distributed in encrypted form, it can only be decrypted and executed (used) on a machine employing the access mechanism of the present invention. (Schneck, col.30 lines 31-41).

Thus, Schneck discloses an access mechanism which controls access to received packaged data according to rules provided with or associated with the packaged data (Figs. 15 and 16). Once the packaged data is received within an environment, an application attempts to access the packaged data within the environment via an operating system which then invokes the access mechanism. Schneck does not disclose or suggest that authorization for access is needed outside of the environment or associated rules; in other words from the application which created the packaged data. Figures 1, 5, and 15 of Schneck only disclose uni-directional arrows leading to and from the access mechanism but the arrows are NOT between a host-like application and a server-like application. No intercepting of a user action as claimed is disclosed or suggested. Instead, Schneck teaches away from any notion of intercepting user actions directed outside of the environment because control rules are already associated with the data and interception of such communication is not necessary or desirable since additional overhead would be required and efficiency lost. Accordingly, Schneck does not disclose, suggest, or even require that a user action between a first application and a second application be intercepted, wherein the second application creates the digital object.

In contrast, Claim 1 recites "intercepting a user action between a first application and a second application" and "providing a digital object created by the second application."

Similarly in contrast, Claim 19 recites "providing a digital object created by a document server application in communication with a hosting application" and "intercepting a user action between the hosting application and the document server application by an intercept application."

Similarly in contrast, Claim 21 recites "an intercept application which intercepts the user actions between the hosting application and the document server application, mimics the functionality of the document server application, and performs the user actions on the digital object depending on the intercepted user actions and according to the control rights."

Therefore, because Schneck does not disclose or suggest all the limitations of Claims 1, 19, and 21, Claims 1, 19, and 21 are not anticipated by Schneck.

Claims 2-12 and 14-15 are dependent on Claim 1 and contain additional limitations that further distinguish them from Schneck. In particular, Schneck does not disclose or suggest "re-directing the user action to a third application," as recited in Claim 3, "authorizing user access and use of the second application," as recited in Claim 9, "activating purchase requirements for user access and use of the second application," as recited in Claim 11, or "displaying advertisements upon particular application communications," as recited in Claim 12. Therefore, Claims 2-12 and 14-15 are patentable over Schneck for at least the same reasons stated above with respect to Claim 1.

Claim 20 is dependent on Claim 19 and contains additional limitations that further distinguish it from Schneck. Therefore, Claim 20 is patentable over Schneck for at least the same reasons stated above with respect to Claim 19.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 102.

Rejections Under 35 U.S.C. § 103(a)

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of Rosborough et al. (U.S. Pat. No. 6,493,754 hereinafter "Rosborough").

Rosborough discloses that their invention is directed toward "measurement of response time in computer applications and . . . the use of non-intrusive devices to measure response time." (Rosborough, col.1 lines 14-17). Rosborough does not remedy the deficiencies of Schneck noted above. In particular, Applicants submit that neither Schneck nor Rosborough, alone or in combination, disclose or suggest "intercepting a user action between a first application and a second application without changing a functionality of the first application and the second application; providing a digital object created by the second application; providing a control object capable of specifying an action on the digital object depending on the intercepted user action; and performing the action specified by the control object on the digital object," as recited in Claim 1.

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HEND LLP

2401 MICHELSON DR.
SUITE 210
IRVINE, CA 92612
(949) 753-7040
FAX (949) 753-7049

v1

-12-

Serial No. 09/620,781

Therefore, because neither Schneck nor Rosborough, alone or in combination, disclose or suggest all the limitations of Claim 1, Claim 1 is patentable over Schneck in view of Rosborough.

Claim 6 is dependent on Claim 1 and contains additional limitations that further distinguish it from Schneck in view of Rosborough. Therefore, Claim 6 is patentable over Schneck in view of Rosborough for at least the same reasons provided above with respect to Claim 1.

Claims 13 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of Ramstrom et al. (U.S. Pat. No. 5,960,004 hereinafter "Ramstrom").

Ramstrom discloses that their invention is directed toward "telecommunication exchanges and, more particularly, to a software architecture for use in a stored program controlled telecommunications switching system." (Ramstrom, col.1 lines 15-18). Ramstrom does not remedy the deficiencies of Schneck noted above. In particular, Applicants submit that neither Schneck nor Ramstrom, alone or in combination, disclose or suggest "intercepting a user action between a first application and a second application without changing a functionality of the first application and the second application; providing a digital object created by the second application; providing a control object capable of specifying an action on the digital object depending on the intercepted user action; and performing the action specified by the control object on the digital object," as recited in Claim 1.

Therefore, because neither Schneck nor Ramstrom, alone or in combination, disclose or suggest all the limitations of Claim 1, Claim 1 is patentable over Schneck in view of Ramstrom.

Claims 13 and 16 are dependent on Claim 1 and contain additional limitations that further distinguish them from Schneck in view of Ramstrom. Therefore, Claims 13 and 16 are patentable over Schneck in view of Ramstrom for at least the same reasons provided above with respect to Claim 1.

Claims 17-18 and 22-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of Knapton, III (U.S. Pat. No. 6,363,486 hereinafter "Knapton").

Knapton does not remedy the deficiencies of Schneck noted above. In particular, Applicants submit that neither Schneck nor Knapton, alone or in combination, disclose or suggest "providing an intercept application which intercepts an editing user action sent from a

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HEED LLP

2403 MICHELSON DR.
SUITE 210
IRVINE, CA 92612
(949) 752-7040
FAX (949) 752-7049

v1

-13-

Serial No. 09/620,781

hosting application to a document server application; providing an external control agent which monitors the editing user action intercepted by the intercept application; registering the intercept application with an operating system; designating an application associated with the creation of a digital object as the document server application; designating the intercept application as an active document server of the digital object; providing rules of usage of the digital object; activating the external control agent to open the digital object and to read the rules that are associated with the digital object; sending the editing user action from the intercept application to the external control agent whereby the editing user action is monitored by the external control agent; opening the digital object using the intercept application; and performing the editing user action on the digital object according to the rules of usage," as recited in Claims 17 and 22.

Therefore, because neither Schneck nor Knapton, alone or in combination, disclose or suggest all the limitations of Claims 17 and 22, Claims 17 and 22 are patentable over Schneck in view of Knapton.

Claims 18 and 23 are dependent on Claims 17 and 22, respectively, and contain additional limitations that further distinguish them from Schneck in view of Knapton. Therefore, Claims 18 and 23 are patentable over Schneck in view of Knapton for at least the same reasons provided above for Claims 17 and 22, respectively.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 103.

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HYD LLP

2402 MICHELSON DR.
SUITE 210
IRVINE, CA 92614
(949) 752-7040
FAX (949) 752-7049

v1

-14-

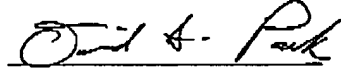
Serial No. 09/620,781

CONCLUSION

For the above reasons, Applicants believe pending Claims 1-23 and 31-33 are now in condition for allowance and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is hereby requested to telephone Applicants' Attorney at (949) 752-7040.

Certification of Facsimile Transmission

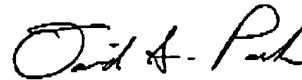
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.



December 10, 2003

David S. Park

Respectfully submitted,



David S. Park
Attorney for Applicant(s)
Reg. No. 52,094

LAW OFFICES OF
MACPHERSON KWOK
CHEN & HEID LLP

2402 MACHERSON DR.
SUITE 210
IRVINE, CA 92612
(949) 752-7040
FAX (949) 752-7049

v1

-15-

Serial No. 09/620,781